



Dave Freudenthal, Governor

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



John Corra, Director

MEMO

TO: Whom It May Concern *TP*

FROM: Todd Parfitt, NPDES Program Manager

DATE: September 27, 2004

SUBJECT: Revisions to the May 5, 2004, Coal Bed Methane Discharge WET Testing Implementation Approach

On May 5, 2004, the Wyoming Department of Environmental Quality, Water Quality Division (WQD) established an implementation approach on how Whole Effluent Toxicity (WET) limits will be incorporated into National Pollutant Discharge Elimination System (NPDES) permits for coal bed methane (CBM) discharges. After evaluating this implementation approach, the WQD determined that it was necessary to revise the approach to provide clarification of the type of toxicity testing required for *Daphnia magna* and include an additional provision for WET sampling requirements. This memo provides notification that the implementation approach was revised on September 27, 2004.

A review of prescribed sampling protocols that have been developed by the Environmental Protection Agency (EPA) for WET testing of *Daphnia magna* showed that EPA does not have an approved sampling protocol for chronic testing of *Daphnia magna*. As a result, all references related to chronic effluent limits for *Daphnia magna* have been removed. In addition, a provision was added to the implementation approach that requires acute and chronic WET testing for fathead minnows and acute WET testing for *Daphnia magna* from an outfall representative of the source water that will be discharged. The purpose of the new provision is to collect WET testing data in drainages where data currently does not exist and ensure that the discharge will not potentially impact aquatic life. The new provision also states that, depending upon the results of the testing, the WQD may reopen and modify a NPDES permit to incorporate WET limits into the permit.

If you have any questions related to the revised implementation approach, please contact Leah Krafft at 307-777-7093 or by email at lkrafft@state.wy.us.

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